

REMARKS

This amendment conforms to the requirements of 37 CFR § 1.116 and is being filed concurrently with an Appeal Brief pursuant to 37 CFR § 1.192. The amendment is provided to expedite resolution of this case, which is under final rejection. Furthermore, the submitted claim amendments do not raise the issue of new matter, nor do the amendments raise new issues that would require a new search. Additionally, because only claim 13 was canceled and only claim 14 was added, additional claim 14 is being presented along with the cancelation of a corresponding number of finally rejected claims. Therefore, Appellants respectfully request entry of the amendment and reconsideration of the application in view of the following amendments and remarks.

Claims 1-12 and 14 are pending and at issue in the present application. Claim 4 has been amended. Claim 13 has been canceled, without prejudice or disclaimer. New claim 14 has been added.

Claim 4 has been amended to more clearly recite the ratio of α -starch to fibers in the skin layer. Support for this amendment is found in the specification at page 5, second paragraph and in original claim 4.

New claim 14 has been added, and recites an animal excretions-treating material in which the α -starch in the skin layer is "present in an amount sufficient to promote agglomeration upon wetting of the skin layer." Support for this amendment is found in the specification: at page 7, last paragraph to page 8, first full paragraph; at page 14, Table 1; and in claim 1.


Conclusion

In view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining, which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

June 16, 2004

Respectfully submitted,

By: 
Dianna Goldenson
Reg. No. 52,949
Attorney for Applicants

Darby & Darby P.C.
Post Office Box 5257
New York, NY 10150-5257
212-527-7700